

BEFORE THE HEARING EXAMINER FOR THE CITY OF RENTON

RE: Elliott Farms

FINAL DECISION

Preliminary Plat
 LUA15-000242, ECF, PP, SA-H, MOD

SUMMARY

The applicant requests preliminary plat and hearing examiner site plan approval for a 45-lot residential subdivision with a street modification. The preliminary plat, site plan and street modification are approved with conditions.

TESTIMONY

Vanessa Dolbee, City of Renton Planning Manager, summarized the staff report.

Ivana Halvorsen, applicant's representative, testified that the project can be revised to address staff report concerns over landscaping. On active open space, the code is silent as to number of facilities required. As an alternative to recommended Condition No. 3, two small active facilities be required in lieu of "active play structures or courts". Staff had no objection to this substitution. Ms. Halverson noted that the private alleys will be dedicated to the public, so a street modification is no longer necessary. Ms. Halverson summarized requested condition revisions in Ex. 47.

Chris Bicket, project transportation engineer, found that the project generates 27 AM peak hour trips and 31 PM peak hour trips. All affected intersections will operate within accepted City level of service

standards. WSDOT has approved a channelization plan for access to the project.

A Renton Public Works staff member testified that Public Works reviewed the applicant's traffic analysis and found it to be adequate.

Vanessa Dolbee requested to have "bond" stricken from the applicant's proposed revision to Condition 2 because the City doesn't accept bonds for landscaping.

EXHIBITS

Exhibits 2-43 listed on page 2 of the August 9, 2016 Staff Report, in addition to the Staff Report itself (Ex. 1), were admitted into evidence the public hearing. Additional exhibits admitted during the hearing include:

- Ex. 44 – City of Renton PowerPoint
- Ex. 45 – City of Renton Core Maps (located on City's webpage)
- Ex. 46 - Google maps of project area
- Ex. 47 – Applicant's Proposed Condition Revisions
- Ex. 48 – Technical Information Report for Cedarwood Subdivision

FINDINGS OF FACT

Procedural:

1. Applicant. Lennon Investments, Inc. and Cedar River Lightfoot, Inc.
2. Hearing. The Examiner held a hearing on the subject application on August 9, 2016 in the City of Renton Council Chambers.
3. Project Description. The applicant is requesting preliminary plat and site plan approval for a 45-lot subdivision for the future construction of attached two- and three-unit buildings. The 6.07-acre site is located along SR-169 between 140th Way SE and 145th Ave SE within the Residential-14 zoning district (APN 2223059004). The subdivision of 45 residential lots and 8 tracts would result in a net density of 9.7 dwelling units per acre. The tracts include 47,911sf of critical areas, 60,731sf of open space and 4,915sf for alleys. The fee simple lots would range in size from 2,217sf to 3,939sf with an average lot size of 2,586sf. Primary access to the development would be via a managed public road access from SR 169 that runs through the development and connects to an existing private lane at Molasses Creek Condominiums. Secondary access to the lots would be available through the existing private lane to 140th Way SE and SR 169. The applicant is also requesting a modification from RMC 4-6-060F.2 "Minimum Design Standards Table for Public Streets and Alleys" to reduce

1 the width of the residential access roadway and relocate a fair portion of the public sidewalks and
2 planter strips into open space tracts away from vehicular travel ways.

3 The undeveloped site contains high erosion hazards, landslide hazards and a Category II wetland with
4 a 50-foot buffer. The site is in the Cedar River drainage basin and outside the 100-year floodplain
5 limits. Stormwater would be conveyed to the existing water quality pond located west of 140th Way
6 SE. Soils primarily consist of Newburg Silt Loam (Ng). Approximately 9,000 cubic yards of cut and
7 20,000 cubic yards of fill are anticipated for the project. The site contains 114 significant trees. The
8 project would remove 31 trees within the development area and replant 120 trees. All 74 significant
9 trees in the wetland and buffer are proposed to be retained.

10 To the north, south and west of the proposed project are residential low density (RLD) neighborhoods.
11 There are also resource conservation areas (RC) to the north, south and west of the subject site. To the
12 east and south are residential medium density areas (RMD) which are zoned R-8. A residential high
13 density area (RHD) with an R-14 zoning density also lies to the west of the subject property. Some of
14 the property to the south of the subject site is in unincorporated King County. This property lies within
15 two zones; a King County Urban Residential Medium Density designation with 4-12 du/ac and a King
16 County Residential 6 du/ac. Surrounding uses include multi-family and single family residences in the
17 Residential-14 (R-14) and Residential-8 (R-8) zones, respectively.

18 4. Adequacy of Infrastructure/Public Services. The project will be served by adequate
19 infrastructure and public services as follows:

20 A. Water and Sewer Service. Water and sewer service will be provided by Cedar River Water
21 and Sewer District. The applicant provided a Certificate of Water Availability (Ex. 15) and
22 a Certificate of Sewer Availability (Ex. 16).

23 A copy of the approved water plan and the approved sewer plan from Cedar River Water
24 & Sewer District shall be provided to the City prior to approval of the Utility Construction
25 Permit.

26 B. Police and Fire Protection. Police and Fire Prevention staff indicate that sufficient
resources exist to furnish services to the proposed development; subject to the condition
that the applicant provides code required improvements and fees. Alleys are required to be
20 feet wide. The applicant is proposing a 16-foot wide alley. The applicant will be required
to submit a variance request to reduce the width of the proposed alleys throughout the site.
(See Ex 1, FOF 30, Streets.) Fire impact fees are applicable at the rate of \$495.10 per single
family unit. This fee is paid at time of building permit issuance.

1 C. Drainage. Drainage will be adequately addressed. The 6.07-acre site is located within the
2 Lower Cedar River drainage basin and outside the 100-year floodplain limits. According
3 to the Preliminary Technical Information Report (Ex. 13), the project would maintain the
4 natural discharge location for the site. However, less than 10% of the total basin area of the
5 wetland would be diverted away from the wetland. The project's biologist does not expect
6 the proposed diversion would result in a substantial change in the flow available to the
7 wetland (Ex. 20). Based on the City's flow control map, this site falls within the Flow
8 Control Duration Standard, Forested Site Condition. Surface water runoff created by this
9 development would be collected through a series of new catch basins and pipe systems in
10 the new roadways within two (2) drainage basins. One (1) basin would be drained to the
11 existing conveyance system in Molasses Creek and the second basin would drain to a
12 proposed 24-inch conveyance system along the project fronting SR 169 (Ex. 6). The
13 proposed 45-lot subdivision is subject to full drainage review and water quality in
14 accordance with the 2009 KCSWDM.

15 According to the TIR, flow control is exempt for this project as the project is within a half
16 mile of the Cedar River. Direct discharge to Cedar River is permitted per City of Renton
17 Amendment to King County Storm water design manual section 1.2.3.1, provided that the
18 direct discharge exemption requirements, as described in the City Amendments to the 2009
19 KCSWDM, are met. Cedar River is listed as a Major Receiving Water and the project is
20 less than one-half mile to the 100-year flood plain. The final Technical Information Report
21 (TIR) must include a level 3 downstream analysis to demonstrate that there is sufficient
22 capacity in the existing and proposed storm system and that the approval of direct discharge
23 would not cause flooding.

24 The developer is intending to use an existing off-site water quality facility (wet pond). The
25 wet pond is located at the southwest corner of the SR 169 and 140th Way SE intersection.
26 According to the TIR, the off-site water quality drainage facility (wet pond) was built and
sized for several divisions of Cedarwood projects, Molasses Creek Condominium, areas of
the WSDOT right-of-way, as well as the proposed Elliott Farms project. A SEPA
mitigation measure was included that requires the applicant to provide a copy of the final
drainage report(s) used to build the Cedarwood water quality pond by King County,
including the original design of the pond.

Temporary erosion and sedimentation control measures would be provided in the final
engineering plan set and would be subject to the 2009 Department of Ecology Guidelines.
A Construction Stormwater Permit from Department of Ecology is required if clearing and
grading of the site exceeds one acre. A Stormwater Pollution Prevention Plan (SWPPP) is
required for this site.

1
2 D. Parks/Open Space. No park is required as the total project size is less than 10 acres. The
3 applicant plans to provide open space, walking trails and park amenities. Open space is
4 required in the form of a park, common green, pea-patch, pocket park or pedestrian entry
5 easement. The open space is required to have picnic areas, space for small recreational
6 activities or other similar activities. The development includes 2.5 acres of common open
7 space, well over the minimum three hundred fifty (350) square feet of common open space.
8 The common open space includes walking trails, picnic benches and pocket areas for
9 residents. Because the open space is located throughout the development it is highly visible
10 and is easily accessible to the neighborhood. However, the open space is lacking
11 recreational activities for all age groups and lighting for public safety. Therefore, a
12 condition of approval will require the applicant to incorporate into the landscaping plan a
13 minimum of two (2) active play structures or courts that provide opportunities for physical
14 exercise and social interaction. The applicant must also incorporate low level trail lighting.
15 The details of these amenities shall be identified on the final landscaping plan and shall be
16 submitted to the City of Renton Project Manager with the street and utility construction
17 permits.

18 A Park Impact Fee is required for the future multi-family units. The current Park Impact
19 Fee (per unit) is \$1,532.56 for a 2-unit multi-family structure or \$1,448.52 for a 3 to 4-unit
20 multi-family structure. The fee in effect at the time of building permit application is
21 applicable to this project and is payable at the time of building permit issuance.

22 E. Streets. The proposed development fronts Maple Valley Hwy (SR 169) along the north
23 property line. SR 169 is classified as a Principal Arterial Road and is a Washington State
24 Highway. Primary access to the site would be provided via a new channelized public road
25 access from SR 169 that runs through the development and connects to an existing private
26 lane at Molasses Creek Condominiums. A street channelization plan has been reviewed
and approved by Washington State Department of Transportation (WSDOT) (Ex. 38).
Adequate sight distance and frontage improvements along SR 169 would be subject to
design review and approval by WSDOT. The City defers to the American Association of
State Highway and Transportation Officials (AASHTO) standard clear zones, which
provide the same, or similar, clear zone requirements as WSDOT. This may include
dedication of right-of-way (ROW) for future planned widening of SR 169 to accommodate
six (6) 12-foot wide travel lanes and 8-foot wide shoulders. If curbs are used, shoulder
width may be reduced to 4 feet. Existing ROW width is approximately 150 feet. Per City
code 4-6-060, half-street improvements shall include a pavement width of 88 feet (44 feet
from centerline), a 0.5-foot curb, an 8-foot planting strip, an 8-foot sidewalk, street trees
and storm drainage improvements. However, the City's transportation group would support

1 an alternate standard to match the established standard street section for SR 169. The City
2 is supportive of the developer's request to retain the existing curb line, followed by a 6-
3 foot wide planting strips and 5-foot wide sidewalks behind the existing curb along the
4 project frontage of SR 169. The applicant may submit a formal request for modification to
5 staff for consideration to deviate from the frontage improvements and dedication of right-
6 of-way along SR 169.

7
8 Secondary access to the lots would be available through the existing private lane to 140th
9 Way SE and SR 169 (Ex. 2). The subject property has easement rights to use the existing
10 private road through Molasses Creek Condominiums (Ex. 19). The preliminary road plans
11 and profiles and onsite grading plan identify the existing and proposed grading and road
12 improvements to serve the proposed 45 units (Ex. 5).

13
14 As previously identified, the applicant is requesting a modification from RMC 4-6-060F.2
15 "Minimum Design Standards Table for Public Streets and Alleys" that would modify the
16 residential access road standard by disconnecting the majority of the public sidewalks and
17 planter strips from the road and away from vehicular travel ways, into open space tracts
18 throughout the development. The modified street standard includes ROW dedication
19 between 35 feet and 53 feet along Road A. The majority of the street improvements include
20 a paved roadway width of 20 feet with 5-foot wide sidewalks and 8-foot wide planter strips
21 along one side of the roadway. Sidewalks and planter strips alternate between the north
22 side of the roadway and the south side of the roadway in order to provide pedestrian access
23 to the pathways used to connect common areas. In addition, portions of the paved road
24 sections also include up to seven (7) on-street parking stalls along the north side of the road
25 (Ex. 5). See FOF 30 for more information.

26
27 The proposal also includes three (3) 16-foot wide alley Tracts (Tract A (alley 3), Tract B
28 (alley 2), and Tract E (alley 1)). Under RMC 4-6-060J, these three access tracts are
29 identified as shared driveways. Shared driveways are not dedicated right-of-way and are
30 owned and maintained by the Homeowner's Association. Deviation from the shared
31 driveway standards of the code would require a separate street modification request. The
32 applicant may submit a formal request for modification to staff for consideration to deviate
33 from the shared driveway standards. The staff report does not identify what provisions of
34 RMC 4-6-060J are not being met by the proposal. Also, the applicant testified that a street
35 modification isn't necessary because the applicant is now proposing to make private
36 easements public. The applicant didn't identify which of the several street
37 modifications/variances referenced in the staff report would be affected by this public
38 dedication, but as best as can be ascertained, it is modification to RMC 4-6-060J.

1 Alley 1 provides access to Lots 24-26, alley 2 provides access to Lots 5-13 and alley 3
2 provides access to Lots 1-4. Access is required within 150 feet of all points on the buildings
3 and fire department apparatus access roadways are required to be minimum 20 feet wide
4 fully paved, with 25 feet inside and 45 feet outside turning radius (including the turning
5 radius to alley 2). Fire access roadways shall be constructed to support a 30-ton vehicle
6 with 75 psi point loading. In order to construct the proposal as is, the applicant must submit
7 a variance request for approval by the Renton Fire Authority for 16-foot wide alley access
8 to Lot 1-4, 5-13 and 24-26. An earlier site plan design included a T-shaped alley that
9 included lots without pipestems, landscape screening between the alley and the public
10 right-of-way and minimum turning radius (Ex. 43). Staff is more supportive of a T-shaped
11 alley design that meets all these items, but the applicant testified that the T-shape alley is
12 no longer practical given the latest design iterations.

13 The applicant has indicated that the proposed 45-lot subdivision would generate 321 new
14 weekday daily trips, with 27 new trips occurring during the weekday AM peak hour (5
15 entering, 22 exiting), and 31 new trips occurring during the weekday PM peak hour (21
16 entering, 10 exiting) (Ex. 12). The estimated distribution of project traffic was based on
17 existing traffic patterns and were generally distributed as follows: 50 percent to/from the
18 west on SR 169; 30 percent to/from the east on SR 169; and 20 percent to/from the south
19 on 140th Way SE. Based on the LOS results conducted at three study intersections, all
20 intersections are expected to operate at acceptable levels (LOS D or better) during the AM
21 and PM peak hours in 2017 with no significant impacts created by the proposed Elliott
22 Farm. An annual growth rate of two percent was applied to the existing volumes.

23 The proposed project would result in impacts to the City's street system. In order to
24 mitigate transportation impacts, the applicant must meet code-required frontage
25 improvements, the City of Renton's transportation concurrency requirements (Ex. 36)
26 based upon a test of the citywide Transportation Plan, and pay appropriate Transportation
Impact Fees. The 2016 impact fee for condominium/townhome is \$1,546.31 per dwelling
unit. Based on 45 new dwelling units, the resulting impact fee would be \$69,583.95 (45 x
1,546.31 per unit). Payment of transportation impact fees is applicable at the time of
issuance of the building permit. The City of Renton transportation impact fee rate schedule
is subject to change.

27 All street lighting is required to meet city standards. Lighting plans were not submitted
28 with the land use application and would be reviewed during the construction utility permit.
29 A condition of approval will require a lighting plan and final detailed landscape plan to be
30 submitted to, and approved by, the Current Planning Project Manager and the Plan
Reviewer prior to construction permit issuance.

1
2 F. Sidewalks, Paths and Pedestrian Easements. Pedestrian sidewalks and pedestrian
3 connections are located throughout the subject property and would provide for safe and
4 efficient pedestrian access throughout the site. In portions of the development, sidewalks
5 have been disconnected from the road. Logical pedestrian connections are provided from
6 SR 169 and Molasses Creek Condominiums to Road A. The applicant has included a
7 primary 5-foot wide sidewalk along the north side of Road A and a 7-foot wide crushed
8 rock trail throughout the open space tracts. Each portion of the trail that is directly
9 connected to the SR 169 would be required to be paved in order to meet ADA standards.
A condition of approval will require the proposed on-site seven-foot wide trail system to
be paved with concrete, except the trail system located directly behind the rear yards of
Lots 34-45. The final detailed trail system and profile plans shall be submitted to the City
of Renton Project Manager with the street and utility construction permits.

10 The sidewalk and trail systems would be used to connect buildings to common open space,
11 on-street parking, neighboring properties, and the public right-of-way (Ex. 2, 5, 9, and 39).
12 The front yards of Lots 1-13 abut common open space. A condition of approval will require
13 the applicant to orient the front doors and front yards of the attached dwelling units on Lots
14 1-13 toward the street (Road A) or the common open space tracts. Each of these units shall
15 provide a four-foot (4') entry walkway that connects the front entry to shared common
16 green space trail or sidewalk system. A note to this effect shall be recorded on the face of
the Plat map. Each of these units shall be designed to the highest level of architectural
detailing and articulation.

17 Sidewalks or pathways for parks and green spaces shall be located at the edge of the
18 common space to allow a larger usable green and easy access to homes. A condition of
19 approval will require the applicant to relocate the shared common green space trail system,
20 which runs north/south between Lots 3-18, to be located closer to the front yards of Lots
5-13 to provide more usable green space behind the lots.

21 Lots 24-26 front Tract E (alley 1), therefore, the homes do not front on a residential access
22 street, limited residential access street, a park, or a common green area. A pedestrian entry
23 easement that is at least fifteen feet (15') wide plus a five-foot (5') sidewalk shall be
24 provided. A plat revision that is consistent with this code regulation shall be submitted to
25 the City of Renton Project Manager with the street and utility construction permits. It
26 appears that the applicant could shift Lots 19-23 approximately five feet (5') to the north
and incorporate a flush concrete sidewalk with the alley (alley 1) to comply with the
pedestrian entry easement and sidewalk requirement of the code. A condition of approval
will require the applicant to submit a revised plat plan that includes a pedestrian entry

1 easement that is at least fifteen feet (15') wide plus a five-foot (5') sidewalk to the north of
2 Lots 24-26.

- 3 G. Tree Retention. The City's adopted Tree Retention and Land Clearing Regulations require
4 the retention of 20 percent of trees in a residential development. The undeveloped site
5 contains 114 significant trees. The project would remove 31 trees within the development
6 area and replant 120 trees. All 74 significant trees in the wetland and buffer are proposed
7 to be retained. A SEPA MDNS mitigation measure requires the applicant to remove
8 concrete foundations within the wetland buffer and restore the affected area by planting
9 trees and shrubs within the 50-foot wetland buffer by hand and without heavy machinery.
The condition of approval requires the applicant to provide a tree planting plan to the
Current Planning Project Manager for review and approval prior to construction permit
issuance.

10 The property is covered with a variety of trees. Several larger trees are located around the
11 former residences at the southwest portion of the project site, including cedar, conifer, pine,
12 spruce and alder trees (Ex. 8). The Arborist Report identified 114 significant trees (125
13 including eleven 6-inch alders/cottonwoods) on the parcel proposed to be developed (Ex.
14 14). Six (6) were classified as poor or dangerous, three (3) were located within private
15 access easements/tracts, and 74 were located in critical areas and buffers. The net number
16 of healthy trees for this development is 31. The average size of the trunk at diameter at
17 breast height (DBH) for the surveyed trees is 14 inches (14") with the largest tree, a bigleaf
18 maple at 60" DBH, located southwest corner of the lot in the Category II wetland (Tract
H). The minimum tree retention requirement is twenty percent (20%) in the R-14 zone.
After street and critical area deductions, the applicant is proposing to retain zero of the
potential 31 healthy trees or none of the required 6 trees.

19 The applicant is proposing to replant the subdivision with 120 new trees. These proposed
20 onsite replacement trees exceed the minimum required replacement inches, 12 inches (12")
21 for every tree that was unable to be retained, or 74 inches (74") for this project. Where
22 there is insufficient ROW space or no public frontage, street trees are required in the front
23 yard(s). Compliance with tree density development standard would be reviewed
by planning at the time of building permit review. A final tree retention and detailed
landscape plan shall be submitted with the street and utility construction permits.

- 24 H. Landscaping. As proposed, the conceptual landscape plan does not include the required 10-
25 foot wide landscaping along all street frontage (Ex. 39). The applicant is required to include
26 the required 10-foot wide landscaping along all street frontages, according to code. A
condition of approval will require the applicant to submit a detailed landscaping plan,

1 complying with RMC 4-4-070, for approved by the Current Planning Project Manager prior
2 to issuance of the street and utility construction permits. A 10-foot landscape frontage is
3 not required along the frontage of the public alley.

4 The applicant has submitted a preliminary landscape plan (Ex. 9 and 39) that includes a
5 ten-foot (10') wide fully sight-obscuring landscaped visual barrier between the R-14
6 subject property and the abutting R-8 parcel to the south. The sight-obscuring barrier
7 includes the following cross-section: a 6 foot (6') high fence along the shared property line,
8 landscaping abutting the fence, a maximum 4 foot (4') high retaining wall, followed by
9 additional landscaping in front of the wall. The proposed landscape plan, along Road A,
10 also includes a 0.5-foot wide curb, an 8-foot wide planting strip, and a 5-foot wide sidewalk
11 along approximately half of the proposed public street. A final detailed landscape plan will
12 be reviewed for compliance with RMC prior to issuance of the street and utility
13 construction permit issuance.

14 The landscaping plan proposes to plant 120 trees including, katsura, elm, flowering
15 dogwood, Japanese snowbell, paperbark maple, vine maple, serviceberry, and cornelian
16 cherry at either 2-inch caliper or 6-10 feet in height (Ex. 9 and 14). A condition of approval
17 will require the applicant to install all common landscaping and open space amenities prior
18 to plat recording. A final detailed landscape plan shall be submitted with the street and
19 utility construction permits.

20 The applicant is proposing 60,731 square feet of open space within four (4) tracts (Tracts
21 A, D, F and G) throughout the subject property. All 74 significant trees in the wetland and
22 buffer are proposed to be retained. As a condition of approval, the applicant shall create a
23 Home Owners Association ("HOA") that retains or improves the existing vegetation within
24 the open space tracts. A draft HOA document has been submitted as part of the application
25 (Ex. 41). A final HOA shall be submitted to, and approved by, the City of Renton Current
26 Project Manager and the City Attorney prior to Final Plat recording. Such documents shall
be recorded concurrently with the Final Plat.

- 27 I. Parking. Sufficient area exists, on each lot, to accommodate off-street vehicular parking.
28 This is typically achieved by providing a two (2) car garage for each building (Ex. 40).
29 Each of the three (3) building options includes a 3-bedroom floor plan with up to two (2)
30 garage parking stall per unit which, if rounded up, is compliant with RMC 4-4-080F.d.
31 Compliance with individual driveway requirements would be reviewed at the time of
32 building permit review.

1 J. Schools. The Renton School District can accommodate any additional students generated
2 by this proposal at the following schools: Tiffany Park Elementary School, Nelsen Middle
3 School, and Lindbergh High School (Exhibit 29). Any new students attending the Renton
4 schools would be bussed. The proposed project includes the installation of frontage
5 improvements along the public street frontages, including sidewalks. The designated
6 school bus stops are at the following intersections (at or near the project site): 14105 Maple
7 Valley Hwy (Turn lane Molasses Creek) and 140th Way SE & SE 154th Pl. A sidewalk
8 runs the distance from each lot to either of the designated bus stops. Therefore, there are
9 safe walking routes to the school bus stops.

10 A School Impact Fee, based on new single-family lots, would be required in order to
11 mitigate the proposal's potential impacts to the Renton School District. The fee is payable
12 to the City as specified by the Renton Municipal Code. Currently the fee is assessed at
13 \$1,385.00 per multi-family unit.

14 5. Adverse Impacts. There are no adverse impacts associated with the proposal. As discussed in
15 Finding of Fact No. 4, the proposal provides for adequate infrastructure and is served by adequate
16 public services. There are critical areas on and near the subject site. The site contains low to high
17 erosion hazards, low to medium landslide hazards and a Category II wetland. Specific issues related
18 to critical areas are discussed further below.

19 A. Geologically Hazardous Areas. No adverse impacts are anticipated from geologically
20 hazardous areas. The Geotechnical Engineering Study identified the majority of the site as low
21 landslide hazard (LL), defined as areas with slopes <15%. A 10- to 20-foot wide centrally-
22 located slope aligned northwest-southeast across the site was classified as medium landslide
23 hazard (LM) area. LM is defined as areas with slopes between 15% and 40% and underlain by
24 soils that consist largely of sand, gravel, or glacial till. The geotechnical engineer did not
25 observe any indications of instability, emergent groundwater seepage, significant erosion, or
26 historical movement on or adjacent to the site in areas where soils would classify as LM. No
development activity is planned in the area of the steep slope in the southwest corner of the
site. Development plans would remove or regrade the centrally-located slope during mass
regrading. The geotechnical engineer concluded that the areas to be developed on the site do
not pose a risk as a landslide hazard area.

B. Wetlands. No adverse impacts to wetlands are anticipated. A Critical Areas Report was
submitted by the applicant, prepared by Raedeke Associates, Inc. on December 15, 2014 (Ex.
11). Raedeke Associates, Inc. determined that the site contains a Category II wetland located in
the southwest portion of the property. Under the vested City of Renton code, Category II
wetlands must provide a standard buffer width of 50 feet. The wetland is a low-lying forested
area in the southwest portion of the site. No other wetlands or critical areas were identified
within the remaining portion of the property.

1 In addition to the standard buffer, the applicant is also providing a minimum 15-foot wide
2 common areas tract, immediately north of the wetland buffer (Tract F), in order to provide
3 additional separation between the wetland buffer and the proposed rear lots of Lots 34-45. Based
4 on the provided site plan, there would be minimal impacts to the wetland and its buffer. As part
5 of the SEPA process, a mitigation measure was included that would require the applicant to
6 remove the existing concrete foundation(s) within the wetland buffer and restore the affected
7 areas by planting trees and shrubs within the 50-foot standard wetland buffer by hand and
8 without heavy machinery.

9 **Conclusions of Law**

10 1. Authority. RMC 4-7-020(C) and 4-7-050(D)(5) provide that the Hearing Examiner shall hold
11 a hearing and issue a final decision on preliminary plat applications. RMC 4-8-080(G) provides that
12 the Hearing Examiner shall issue a final decision on Type III hearing examiner site plans. Both
13 processes are Type III decisions subject to hearing examiner approval.

14 2. Zoning/Comprehensive Plan Designations. The subject property is zoned Residential 14
15 dwelling units per net acre (R-14). The comprehensive plan map land use designation is Residential
16 High Density.

17 3. Review Criteria/Street Modification. Chapter 4-7 RMC governs the criteria for subdivision
18 review. RMC 4-9-200 governs hearing examiner site plan review. Applicable standards are quoted
19 below in italics and applied through corresponding conclusions of law. The street modification request
20 assessed in Finding of Fact No. 33 of the staff report is approved for the reasons identified in Finding
21 of Fact No. 33 of the staff report.

22 **Preliminary Plat**

23 **RMC 4-7-080(B):** *A subdivision shall be consistent with the following principles of acceptability:*

24 1. *Legal Lots: Create legal building sites which comply with all provisions of the City Zoning Code.*

25 2. *Access: Establish access to a public road for each segregated parcel.*

26 3. *Physical Characteristics: Have suitable physical characteristics. A proposed plat may be denied
because of flood, inundation, or wetland conditions. Construction of protective improvements may be
required as a condition of approval, and such improvements shall be noted on the final plat.*

4. *Drainage: Make adequate provision for drainage ways, streets, alleys, other public ways, water
supplies and sanitary wastes.*

1 4. As conditioned, this criterion is satisfied, as detailed by staff at pages 8-13 of the Staff Report,
2 which is adopted and incorporated by this reference as if set forth in full. With respect to parks, a
3 condition of approval will require the applicant to incorporate into the landscaping plan a minimum
4 of two (2) active play structures or courts that provide opportunities for physical exercise and social
5 interaction and along with low level trail lighting. With respect to street layouts and pedestrian
6 amenities, conditions of approval will require a street lighting plan and will require the applicant to
7 submit a revised plat plan that includes a pedestrian entry easement that is at least fifteen feet (15')
8 wide plus a five-foot (5') sidewalk to the north of Lots 24-26. With respect to tree retention, a condition
9 of approval requires the applicant to provide a tree planting plan to the Current Planning Project
10 Manager for review and approval prior to construction permit issuance. Primary access to the
11 development would be via a managed public road access from SR 169 that runs through the
12 development and connects to an existing private lane at Molasses Creek Condominiums. Secondary
13 access to the lots would be available through the existing private lane to 140th Way SE and SR 169.
14 As noted in Finding of Fact No. 5, no adverse impacts to geologically hazardous areas or wetlands are
15 anticipated. With the proposed grading and critical areas setbacks, the developable site has physical
16 characteristics suitable for development. As determined in the Finding of Fact No. 4, and as
17 conditioned, the proposal makes adequate provision for drainage, streets, water and sewer.

18 **RMC 4-7-080(I)(1):** *...The Hearing Examiner shall assure conformance with the general purposes
19 of the Comprehensive Plan and adopted standards...*

20 5. The proposed preliminary play is consistent with the Renton Comprehensive Plan as outlined
21 on page 7 of the staff report, which is incorporated by this reference as if set forth in full.

22 **RMC 4-7-120(A):** *No plan for the replatting, subdivision, or dedication of any areas shall be
23 approved by the Hearing Examiner unless the streets shown therein are connected by surfaced road
24 or street (according to City specifications) to an existing street or highway.*

25 6. Primary access to the development would be via a channelized public road access from SR 169
26 that runs through the development and connects to an existing private lane at Molasses Creek
Condominiums. Secondary access to the lots would be available through the existing private lane to
140th Way SE and SR 169.

RMC 4-7-120(B): *The location of all streets shall conform to any adopted plans for streets in the
City.*

7. The internal road, Road A will connect to SR 169 and 140th Way SE.

RMC 4-7-120(C): *If a subdivision is located in the area of an officially designed [sic] trail,
provisions shall be made for reservation of the right-of-way or for easements to the City for trail
purposes.*

8. The staff report and administrative record do not identify any officially designated trail in the vicinity.

RMC 4-7-130(C): *A plat, short plat, subdivision or dedication shall be prepared in conformance with the following provisions:*

1. Land Unsuitable for Subdivision: Land which is found to be unsuitable for subdivision includes land with features likely to be harmful to the safety and general health of the future residents (such as lands adversely affected by flooding, steep slopes, or rock formations). Land which the Department or the Hearing Examiner considers inappropriate for subdivision shall not be subdivided unless adequate safeguards are provided against these adverse conditions.

a. Flooding/Inundation: If any portion of the land within the boundary of a preliminary plat is subject to flooding or inundation, that portion of the subdivision must have the approval of the State according to chapter 86.16 RCW before the Department and the Hearing Examiner shall consider such subdivision.

b. Steep Slopes: A plat, short plat, subdivision or dedication which would result in the creation of a lot or lots that primarily have slopes forty percent (40%) or greater as measured per RMC 4-3-050J1a, without adequate area at lesser slopes upon which development may occur, shall not be approved.

...

3. Land Clearing and Tree Retention: Shall comply with RMC 4-4-130, Tree Retention and Land Clearing Regulations.

4. Streams:

a. Preservation: Every reasonable effort shall be made to preserve existing streams, bodies of water, and wetland areas.

b. Method: If a stream passes through any of the subject property, a plan shall be presented which indicates how the stream will be preserved. The methodologies used should include an overflow area, and an attempt to minimize the disturbance of the natural channel and stream bed.

c. Culverting: The piping or tunneling of water shall be discouraged and allowed only when going under streets.

d. Clean Water: Every effort shall be made to keep all streams and bodies of water clear of debris and pollutants.

1 9. As discussed in Conclusions of Law No. 4 and Finding of Fact No. 5, and as conditioned, the
2 land is suitable for development. The property is not designated as a floodplain and no adverse impacts
3 to critical areas are anticipated. The geologically hazardous area is a berm in the middle of the property
4 which will be graded. No geologically hazardous area will remain after civil construction. The on-site
wetland is adequately mitigated. There are no streams on site.

5 As discussed in Finding of Fact 4, the City's adopted Tree Retention and Land Clearing Regulations
6 require the retention of 20 percent of trees in a residential development. The undeveloped site contains
7 114 significant trees. The project would remove 31 trees within the development area and replant 120
trees, which exceeds the City's requirement. All 74 significant trees in the wetland and buffer are
proposed to be retained.

8 **RMC 4-7-140:** *Approval of all subdivisions located in either single family residential or multi-family*
9 *residential zones as defined in the Zoning Code shall be contingent upon the subdivider's dedication*
10 *of land or providing fees in lieu of dedication to the City, all as necessary to mitigate the adverse*
11 *effects of development upon the existing park and recreation service levels. The requirements and*
procedures for this mitigation shall be per the City of Renton Parks Mitigation Resolution.

12 10. The developer will provide common open space with recreational amenities as a condition of
13 approval. The SEPA MDNS requires the payment of Park and Recreation Impact fees.

14 **RMC 4-7-150(A):** *The proposed street system shall extend and create connections between existing*
15 *streets unless otherwise approved by the Public Works Department. Prior to approving a street system*
16 *that does not extend or connect, the Reviewing Official shall find that such exception shall meet the*
17 *requirements of subsection E3 of this Section. The roadway classifications shall be as defined and*
designated by the Department.

18 11. The internal road, Road A will connect to SR 169 and 140th Way SE.

19 **RMC 4-7-150(B):** *All proposed street names shall be approved by the City.*

20 12. As conditioned.

21 **RMC 4-7-150(C):** *Streets intersecting with existing or proposed public highways, major or*
22 *secondary arterials shall be held to a minimum.*

23 13. As proposed, there will be a single channelized street intersection with SR 169. The street
design at the intersection will be required to meet WSDOT and AASHTO standards.

24 **RMC 4-7-150(D):** *The alignment of all streets shall be reviewed and approved by the Public Works*
25 *Department. The street standards set by RMC 4-6-060 shall apply unless otherwise approved. Street*
26 *alignment offsets of less than one hundred twenty-five feet (125') are not desirable, but may be*

1 *approved by the Department upon a showing of need but only after provision of all necessary safety*
2 *measures.*

3 14. As discussed in Finding of Fact 4, the Public Works Department has reviewed and approved
4 the street alignment.

5 **RMC 4-7-150(E):**

6 *1. Grid: A grid street pattern shall be used to connect existing and new development and shall be the*
7 *predominant street pattern in any subdivision permitted by this Section.*

8 *2. Linkages: Linkages, including streets, sidewalks, pedestrian or bike paths, shall be provided*
9 *within and between neighborhoods when they can create a continuous and interconnected network*
10 *of roads and pathways. Implementation of this requirement shall comply with Comprehensive Plan*
11 *Transportation Element Objective T-A and Policies T-9 through T-16 and Community Design*
12 *Element, Objective CD-M and Policies CD-50 and CD-60.*

13 *3. Exceptions:*

14 *a. The grid pattern may be adjusted to a “flexible grid” by reducing the number of linkages or the*
15 *alignment between roads, where the following factors are present on site:*

16 *i. Infeasible due to topographical/environmental constraints; and/or*

17 *ii. Substantial improvements are existing.*

18 *4. Connections: Prior to adoption of a complete grid street plan, reasonable connections that link*
19 *existing portions of the grid system shall be made. At a minimum, stub streets shall be required*
20 *within subdivisions to allow future connectivity.*

21 *5. Alley Access: Alley access is the preferred street pattern except for properties in the Residential*
22 *Low Density land use designation. The Residential Low Density land use designation includes the*
23 *RC, R-1, and R-4 zones. Prior to approval of a plat without alley access, the Reviewing Official shall*
24 *evaluate an alley layout and determine that the use of alley(s) is not feasible...*

25 *6. Alternative Configurations: Offset or loop roads are the preferred alternative configurations.*

26 *7. Cul-de-Sac Streets: Cul-de-sac streets may only be permitted by the Reviewing Official where due*
to demonstrable physical constraints no future connection to a larger street pattern is physically
possible.

15. The project provides a grid connection by connecting the internal road, Road A to SR 169 and
140th Way SE. Adequate sight distance and frontage improvements along SR 169 would be subject
to design review and approval by WSDOT. The proposed project includes the installation of frontage

1 improvements along the public street frontages, including sidewalks and in some places a separated
2 pedestrian trail.

3 **RMC 4-7-150(F):** *All adjacent rights-of-way and new rights-of-way dedicated as part of the plat,*
4 *including streets, roads, and alleys, shall be graded to their full width and the pavement and sidewalks*
5 *shall be constructed as specified in the street standards or deferred by the Planning/Building/Public*
6 *Works Administrator or his/her designee.*

6 16. As proposed.

7 **RMC 4-7-150(G):** *Streets that may be extended in the event of future adjacent platting shall be*
8 *required to be dedicated to the plat boundary line. Extensions of greater depth than an average lot*
9 *shall be improved with temporary turnarounds. Dedication of a full-width boundary street shall be*
10 *required in certain instances to facilitate future development.*

10 17. There are no further street extensions possible for the proposed subdivision.

11 **RMC 4-7-170(A):** *Insofar as practical, side lot lines shall be at right angles to street lines or radial*
12 *to curved street lines.*

13 18. As depicted in Ex. 39, the side lines are in conformance with the requirement quoted above.

14 **RMC 4-7-170(B):** *Each lot must have access to a public street or road. Access may be by private*
15 *access easement street per the requirements of the street standards.*

16 19. As previously determined, each lot has access to a public street or road.

17 **RMC 4-7-170(C):** *The size, shape, and orientation of lots shall meet the minimum area and width*
18 *requirements of the applicable zoning classification and shall be appropriate for the type of*
19 *development and use contemplated. Further subdivision of lots within a plat approved through the*
20 *provisions of this Chapter must be consistent with the then-current applicable maximum density*
21 *requirement as measured within the plat as a whole.*

20 20. As previously determined, the proposed lots comply with the zoning standards of the R-14
21 zone, which includes area, width and density.

22 **RMC 4-7-170(D):** *Width between side lot lines at their foremost points (i.e., the points where the side*
23 *lot lines intersect with the street right-of-way line) shall not be less than eighty percent (80%) of the*
24 *required lot width except in the cases of (1) pipestem lots, which shall have a minimum width of twenty*
25 *feet (20') and (2) lots on a street curve or the turning circle of cul-de-sac (radial lots), which shall be*
26 *a minimum of thirty-five feet (35').*

26 21. As shown in Ex. 39, the requirement is satisfied.

1 **RMC 4-7-170(E):** *All lot corners at intersections of dedicated public rights-of-way, except alleys,*
2 *shall have minimum radius of fifteen feet (15').*

3 22. As proposed.

4 **RMC 4-7-190(A):** *Due regard shall be shown to all natural features such as large trees,*
5 *watercourses, and similar community assets. Such natural features should be preserved, thereby*
6 *adding attractiveness and value to the property.*

7 23. As discussed in Finding of Fact No. 5 and Conclusion of Law No. 9, geologically hazardous
8 areas on site are limited and will be removed by grading. The on-site wetland will be adequately
9 mitigated. There are no streams on-site. Significant trees are proposed for retention, where feasible
10 on-site.

11 **RMC 4-7-200(A):** *Unless septic tanks are specifically approved by the Public Works Department*
12 *and the King County Health Department, sanitary sewers shall be provided by the developer at no*
13 *cost to the City and designed in accordance with City standards. Side sewer lines shall be installed*
14 *eight feet (8') into each lot if sanitary sewer mains are available, or provided with the subdivision*
15 *development.*

16 24. This requirement will be imposed during engineering review for final plat approval.

17 **RMC 4-7-200(B):** *An adequate drainage system shall be provided for the proper drainage of all*
18 *surface water. Cross drains shall be provided to accommodate all natural water flow and shall be of*
19 *sufficient length to permit full-width roadway and required slopes. The drainage system shall be*
20 *designed per the requirements of RMC 4-6-030, Drainage (Surface Water) Standards. The drainage*
21 *system shall include detention capacity for the new street areas. Residential plats shall also include*
22 *detention capacity for future development of the lots. Water quality features shall also be designed to*
23 *provide capacity for the new street paving for the plat.*

24 25. The proposal, as conditioned, provides for adequate drainage that is in conformance with
25 applicable City drainage standards as determined in Finding of Fact No. 4c. A SEPA mitigation
26 measure was included that requires the applicant to provide a copy of the final drainage report(s) used
to build the Cedarwood water quality pond by King County, including the original design of the pond.

Temporary erosion and sedimentation control measures would be provided in the final engineering
plan set and would be subject to the 2009 Department of Ecology Guidelines. A Construction
Stormwater Permit from Department of Ecology is required if clearing and grading of the site exceeds
one acre. A Stormwater Pollution Prevention Plan (SWPPP) is required for this site.

1 **RMC 4-7-200(C):** *The water distribution system including the locations of fire hydrants shall be*
2 *designed and installed in accordance with City standards as defined by the Department and Fire*
3 *Department requirements.*

4 26. This requirement will be imposed during engineering review or final plat approval.

5 **RMC 4-7-200(D):** *All utilities designed to serve the subdivision shall be placed underground. Any*
6 *utilities installed in the parking strip shall be placed in such a manner and depth to permit the planting*
7 *of trees. Those utilities to be located beneath paved surfaces shall be installed, including all service*
8 *connections, as approved by the Department. Such installation shall be completed and approved prior*
9 *to the application of any surface material. Easements may be required for the maintenance and*
10 *operation of utilities as specified by the Department.*

11 27. This requirement will be imposed during engineering review for final plat approval.

12 **RMC 4-7-200(E):** *Any cable TV conduits shall be undergrounded at the same time as other basic*
13 *utilities are installed to serve each lot. Conduit for service connections shall be laid to each lot line*
14 *by subdivider as to obviate the necessity for disturbing the street area, including sidewalks, or alley*
15 *improvements when such service connections are extended to serve any building. The cost of*
16 *trenching, conduit, pedestals and/or vaults and laterals as well as easements therefore required to*
17 *bring service to the development shall be borne by the developer and/or land owner. The subdivider*
18 *shall be responsible only for conduit to serve his development. Conduit ends shall be elbowed to final*
19 *ground elevation and capped. The cable TV company shall provide maps and specifications to the*
20 *subdivider and shall inspect the conduit and certify to the City that it is properly installed.*

21 28. This requirement will be imposed during engineering review for final plat approval.

22 **RMC 4-7-210:**

23 **A. MONUMENTS:**

24 *Concrete permanent control monuments shall be established at each and every controlling corner of*
25 *the subdivision. Interior monuments shall be located as determined by the Department. All surveys*
26 *shall be per the City of Renton surveying standards.*

B. SURVEY:

All other lot corners shall be marked per the City surveying standards.

C. STREET SIGNS:

The subdivider shall install all street name signs necessary in the subdivision.

29. This requirement will be imposed during engineering review for final plat approval.

Site Plan

RMC 4-9-200(E)(3) Criteria: *The Administrator must find a proposed project to be in compliance with the following: (Ord. 5676, 12-3-2012)*

a. Compliance and Consistency: Conformance with plans, policies, regulations and approvals, including:

i. Comprehensive Plan: The Comprehensive Plan, its elements, goals, objectives, and policies, especially those of the applicable land use designation, and any applicable adopted Community Plan;

ii. Applicable land use regulations;

iii. Relevant Planned Action Ordinance and Development Agreements; and

iv. Design Regulations: Intent and guidelines of the design regulations located in RMC 4-3-100. (Ord. 5759, 6-22-2015)

30. As discussed in Conclusions of Law No. 4 and 5 above, the proposed project complies with and is consistent with the Comprehensive Plan and all applicable land use regulations. As discussed in the Staff Report, pages 13-20, which is adopted and incorporated by this reference as if set forth in full, as conditioned the project complies with all applicable design regulations or will at the time of building permit review. According to staff, the proposed development is compliant with Pre-Annexation Development Agreement Cedar River Lightfoot, Inc. (Ex. 42). These criteria are met.

b. Off-Site Impacts: Mitigation of impacts to surrounding properties and uses, including:

i. Structures: Restricting overscale structures and overconcentration of development on a particular portion of the site;

ii. Circulation: Providing desirable transitions and linkages between uses, streets, walkways and adjacent properties;

iii. Loading and Storage Areas: Locating, designing and screening storage areas, utilities, rooftop equipment, loading areas, and refuse and recyclables to minimize views from surrounding properties;

iv. Views: Recognizing the public benefit and desirability of maintaining visual accessibility to attractive natural features;

1 v. *Landscaping: Using landscaping to provide transitions between development and*
2 *surrounding properties to reduce noise and glare, maintain privacy, and generally*
3 *enhance the appearance of the project; and*

4 vi. *Lighting: Designing and/or placing exterior lighting and glazing in order to avoid*
5 *excessive brightness or glare to adjacent properties and streets.*

6 31. As proposed, the development will restrict overscale structures and overconcentration of
7 development on a particular portion of the site by providing two-story units of different sizes and
8 facades with porches, decorative roof brackets, individual colors and other measures to prevent any
9 one type of building or façade from dominating any one portion of the development (See Staff Report,
10 FOF 28). A loop circulation system using Road A and Molasses Creek Condominium private roadway
11 allows for local serving traffic to access the multi-family properties from SR 169 to the north. The
12 street sections and onsite internal pathways are intended to create a pedestrian-friendly atmosphere
13 with wide sidewalks and landscaping. The proposed development provides screened landscaping
14 around utilities and refuse bins and complies with all applicable design standards as noted in
15 Conclusion of Law No. 30. No views would be obstructed by the buildings. The buildings fronting SR
16 169 will have territorial views. As noted above, the applicant has provided a detailed landscape plan
17 which will provide screening, maintain privacy and enhance the appearance of the project. A condition
18 of approval will require the applicant to submit a lighting plan. As proposed and conditioned, this
19 criterion is met.

20 c. *On-Site Impacts: Mitigation of impacts to the site, including:*

21 i. *Structure Placement: Provisions for privacy and noise reduction by building*
22 *placement, spacing and orientation;*

23 ii. *Structure Scale: Consideration of the scale of proposed structures in relation to*
24 *natural characteristics, views and vistas, site amenities, sunlight, prevailing winds, and*
25 *pedestrian and vehicle needs;*

26 iii. *Natural Features: Protection of the natural landscape by retaining existing*
 vegetation and soils, using topography to reduce undue cutting and filling, and limiting
 impervious surfaces; and

 iv. *Landscaping: Use of landscaping to soften the appearance of parking areas, to*
 provide shade and privacy where needed, to define and enhance open spaces, and
 generally to enhance the appearance of the project. Landscaping also includes the
 design and protection of planting areas so that they are less susceptible to damage
 from vehicles or pedestrian movements.

32. As noted in the Staff Report, the Site Plan (Ex. 39) includes an arrangement of buildings around the open space which will serve to reduce noise. The multi-family buildings would be limited to 30 feet in height. The height of the R-14 zone is consistent with the two- and three-story condominium development project completed in Phase 1. Additionally, as noted in Conclusion of Law No. 30, as conditioned, the project will meet all applicable design standards. The developer proposes to mitigate the on-site geologically hazardous area through cut and fill. This area is limited and serves as a berm in the middle of the site. Approximately 9,000 cubic yards of material would be cut onsite and approximately 20,000 cubic yards of fill is proposed to be brought to the site. There is an existing Category II wetland onsite (Ex. 1 and 11) which will be adequately buffered. Based on the provided site plan, there would be minimal impacts to the wetland and its buffer. As conditioned and as described in Finding of Fact No. 5, the applicant has provided a detailed landscape plan which will provide extensive pedestrian amenities and common open space. These criteria are satisfied.

d. Access and Circulation: Safe and efficient access and circulation for all users, including:

i. Location and Consolidation: Providing access points on side streets or frontage streets rather than directly onto arterial streets and consolidation of ingress and egress points on the site and, when feasible, with adjacent properties;

ii. Internal Circulation: Promoting safety and efficiency of the internal circulation system, including the location, design and dimensions of vehicular and pedestrian access points, drives, parking, turnarounds, walkways, bikeways, and emergency access ways;

iii. Loading and Delivery: Separating loading and delivery areas from parking and pedestrian areas;

iv. Transit and Bicycles: Providing transit, carpools and bicycle facilities and access; and

v. Pedestrians: Providing safe and attractive pedestrian connections between parking areas, buildings, public sidewalks and adjacent properties.

33. Access would occur from the through road that connects the development from SR 169 to Molasses Creek Condominiums (Road A). The applicant is also proposing a 7-foot wide on-site trail system that connected to the off-site street frontage improvements along SR 169 which includes a 5-foot wide sidewalk. The wide trail system and sidewalk improvements would help to promote a walkable, pedestrian oriented, community connection that would promote safe and efficient circulation and linkages to the neighboring developments. The site plan proposes a through road system that creates a more logical and seamless road pattern than exists today. Pedestrian connections from the street to the buildings would be provided. The parking areas include up to seven (7) on-street parking

1 stalls along the north side of the road (Ex. 5). No specific loading and delivery areas are designated.
2 The project development is residential in design. Per RMC 4-4-080F.11.a bicycle parking spaces are
3 required at one-half (0.5) bicycle parking space per one dwelling unit (attached dwelling). Spaces shall
4 meet the requirements of subsection F11c of this Section, Bicycle Parking Standards. Each unit
contains a garage with enough space to provide one-half (0.5) bicycle parking space per dwelling unit.
These criteria are satisfied.

5 *e. Open Space: Incorporating open spaces to serve as distinctive project focal points and to*
6 *provide adequate areas for passive and active recreation by the occupants/users of the site.*

7 34. As described in Finding of Fact No. 4, the proposal incorporates open spaces in common areas
8 which serve as distinctive focal points for passive and active recreation. As conditioned, this criterion
is satisfied.

9 *f. Views and Public Access: When possible, providing view corridors to shorelines and Mt.*
10 *Rainier, and incorporating public access to shorelines.*

11 35. There are no view corridors or public access to shorelines, nor is Mt. Rainier visible in this
12 area.

13 *g. Natural Systems: Arranging project elements to protect existing natural systems where*
14 *applicable.*

15 36. As described in Finding of Fact No. 5, the site contains 47,911sf of critical area. Other than
16 the acknowledged Category II wetland in the southwest portion of the site, no other wetlands or critical
17 areas were identified within the remaining portion of the property. The applicant is also providing a
18 minimum 15-foot wide common areas tract, immediately north of the wetland buffer (Tract F), in
order to provide additional separation between the wetland buffer and the proposed rear lots of Lots
19 34-45. Based on the provided site plan, there would be minimal impacts to the wetland and its buffer.
This criterion is satisfied.

20 *h. Services and Infrastructure: Making available public services and facilities to accommodate*
21 *the proposed use.*

22 *i. Phasing: Including a detailed sequencing plan with development phases and*
23 *estimated time frames, for phased projects.*

24 37. As described in Finding of Fact No. 4. The proposal, as conditioned, is served by adequate
public services and facilities to accommodate the proposed use. This criterion is satisfied.


25 **DECISION**

1 The proposed preliminary plat, site plan is approved and street modification are approved, subject to
2 the following conditions:

- 3 1. The applicant shall comply with the mitigation measures issued as part of the Determination
4 of Non-Significance - Mitigated, dated July 15, 2016.
- 5 2. The applicant shall install or provide financial guarantees for all common landscaping and
6 open space amenities prior to plat recording. A phasing plan and final detailed landscape plan
7 shall be submitted with the street and utility construction permits.
- 8 3. The applicant shall incorporate into the landscaping plan a minimum of two (2) active facilities
9 subject to staff approval that provide opportunities for physical exercise and social interaction
10 and low level trail lighting. The details of these amenities shall be identified on the final
11 landscaping plan and shall be submitted to the City of Renton Project Manager with the street
12 and utility construction permits for approval.
- 13 4. The proposed on-site seven-foot wide trail system shall be paved with concrete, except the trail
14 system located directly behind the rear yards of Lots 34-45. The final detailed trail system and
15 profile plans shall be submitted to the City of Renton Project Manager with the street and utility
16 construction permits.
- 17 5. The applicant shall orient the front doors and front yards of the attached dwelling units on Lots
18 1-13 toward the street (Road A) or the common open space tracts. Each of these units shall
19 provide a four-foot (4') entry walkway that connects the front entry to shared common green
20 space trail or sidewalk system. A note to this effect shall be recorded on the face of the Plat
21 map. Each of these units shall be designed to the highest level of architectural detailing and
22 articulation.
- 23 6. The applicant shall relocate the shared common green space trail system, which runs
24 north/south between Lots 3-18, to be located closer to the front yards of Lots 5-7 and 8-13 to
25 provide more usable green space behind the lots. The revised plan shall be submitted along
26 with the street and utility construction permits.
7. The applicant shall submit a revised plat plan that includes a pedestrian entry easement that is
at least fifteen feet (15') wide plus a five-foot (5') sidewalk to the north of Lots 24-26.
8. The plat shall include a minimum of four (4) different building types (models) to provide
additional character to the development. The detailed floor and elevations plans shall be
submitted to the City of Renton Project Manager with the street and utility construction
permits.
9. Prior to construction permit approval, the applicant shall submit, to the City of Renton Current
Project Manager, a site plan and a roofing materials board that identifies a variety of colors
throughout the development.

- 1 10. The applicant shall provide for the minimum standard of 24 feet (24') along street curves. A
2 final detailed site plan shall be submitted to, and approved by, the Current Planning Project
3 Manager and the Plan Reviewer prior to construction permit approval.
- 4 11. The applicant shall submit a lighting plan and final detailed landscape plan to, and approved
5 by, the Current Planning Project Manager and the Plan Reviewer prior to construction permit
6 issuance.
- 7 12. The applicant shall create a Home Owners Association ("HOA") that retains or improves the
8 existing vegetation within the open space tract. A draft HOA document has been submitted as
9 part of the application. A final HOA shall be submitted to, and approved by, the City of Renton
10 Current Project Manager and the City Attorney to the extent pertinent to public subdivision
11 review prior to Final Plat recording. Such documents shall be recorded concurrently with the
12 Final Plat.
- 13 13. The applicant shall provide public easements for amenities that are outside of the right-of-way
14 of the new public street.
- 15 14. The applicant shall provide access signage that identifies the trails system throughout the
16 development for public access.
- 17 15. Finding of Fact 4(E) of this decision identifies an outstanding street modification required for
18 a shared driveway standard modification and a variance for fire access width. Unless these
19 requirements are nullified by approved design modifications, approval of the modification and
20 variance is required prior to final plat approval.

21 DATED this 25th day of August, 2016.

22 
23 Phil A. Olbrechts

24 City of Renton Hearing Examiner

25 APPEAL RIGHTS AND VALUATION NOTICES

26 RMC 4-8-080(G) provides that the final decision of the hearing examiner is subject to appeal to the
Renton City Council. RMC 4-8-110(E)(14) requires appeals of the hearing examiner's decision to
be filed within fourteen (14) calendar days from the date of the hearing examiner's decision. A
request for reconsideration to the hearing examiner may also be filed within this 14 day appeal period

1 as identified in RMC 4-8-100(G)(9). A new fourteen (14) day appeal period shall commence upon
2 the issuance of the reconsideration. Additional information regarding the appeal process may be
3 obtained from the City Clerk's Office, Renton City Hall – 7th floor, (425) 430-6510.

4 Affected property owners may request a change in valuation for property tax purposes
5 notwithstanding any program of revaluation.
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